



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/773,233	01/31/2001	Alexander Mayzel	AREWP0105US	6140

7590 03/29/2004
Heidi A. Boehlefeld
Renner, Otto, Boisselle & Sklar, LLP
Nineteenth Floor
1621 Euclid Avenue
Cleveland, OH 44115

EXAMINER

JACKSON, MONIQUE R

ART UNIT PAPER NUMBER

1773

DATE MAILED: 03/29/2004

12

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Applicati n No.

09/773,233

Applicant(s)

MAYZEL, ALEXANDER

Examiner

Monique R Jackson

Art Unit

1773

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 September 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 19-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 19-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. The amendment filed 9/22/03 has been entered. New claims 31-33 have been added.

Claims 19-33 are pending in the application.

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 103

3. Claims 19-21, 24-27, and 30-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schwing et al (USPN 5,656,335) in view of Das et al (USPN 4,422,886.) Schwing et al teaches a process for coating a substrate with a metal material giving a polished effect wherein the process includes cleaning the substrate 10 and forming a polymer base coating 12 on the substrate by burning on a powdered lacquer, coating the coated substrate with a metal 14 such as aluminum giving a polished effect by plasma deposition or sputtering within a vacuum chamber, and applying a transparent top coating 16 on the metallized layer by burning on a powdered lacquer, wherein the coated substrate may contain an optional intermediate protective coating between the metallized layer and the top coating layer, as well as an optional final scratch-proof protective coating on the top coating layer; and wherein the substrate may be a metal and the shaped body or substrate can be cleaned and degreased so that it can be subjected to conversion treatment followed by the drying prior to applying the base coating (Abstract; Col. 2, lines 22-31; Col. 3, lines 1-42.) Schwing et al teach that the method of utilizing a powdered lacquer helps to overcome environmental hazards and corrosion protection problems of previous methods utilizing a wet lacquer (Col. 1, lines 7-33.) Schwing et al do not teach the incorporation of an inorganic corrosion inhibiting conversion coating layer on the metallized layer, however,

Art Unit: 1773

Das et al teach an improved surface treatment for aluminum and aluminum alloy surfaces wherein an inorganic conversion coating comprising zirconium salts is applied to the aluminum surface to improve corrosion resistance of the aluminum surface and to improve adhesion of subsequent coating or lacquer layers applied to the treated aluminum surface (Col. 1, 9-16; Col. 3, lines 25-50; Examples.) Therefore, one having ordinary skill in the art at the time of the invention would have been motivated to utilize the conversion coating taught by Das et al, on the substrate as well as the metallized layer, particularly when the metallized layer is aluminum, in the invention taught by Schwing et al, to provide improved corrosion resistance and improved adhesion to the subsequent polymer coating layer(s) given the reasonable expectation of success. Further, though Schwing et al do not teach an intermediate layer between the polymeric base coating and the metallized layer, it would have been obvious to one having ordinary skill in the art at the time of the invention to include an adhesion promoting layer between the polymer coating and the metal layer or any two adjacent layers to provide improved adhesion between the two adjacent layers as is well established in the art.

4. Claims 22-23 and 28-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schwing et al in view of Das et al as applied to claims 19-21, 24-27 and 30-33 above, and further in view of Mokerji. The teachings of Schwing et al in view of Das et al are discussed above. Though Schwing et al teach that an abrasion resistant protective coating may be applied to the coated substrate, Schwing et al do not teach that the protective coating is an organopolysiloxane coating (reads on both organic and ceramic coating.) However, it is well known in the art that an organosiloxane topcoat layer can provide improved protective properties to a coated substrate such as abrasion and scratch resistance as taught by Mokerji and hence, one having ordinary skill

Art Unit: 1773

in the art at the time of the invention would have been motivated to utilize an organopolysiloxane protective topcoat for the invention taught by Schwing et al in view of Das et al.

Response to Arguments

5. Applicant's arguments with respect to claims 19-30 have been considered but are moot in view of the new ground(s) of rejection.

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Monique R Jackson whose telephone number is 571-272-1508. The examiner can normally be reached on Mondays-Thursdays, 8:00AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul J Thibodeau can be reached on 571-272-1516. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 1773

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Monique R. Jackson
Primary Examiner
Technology Center 1700
March 19, 2004